

Exhibit U

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

**IN RE: VALSARTAN PRODUCTS
LIABILITY LITIGATION**

CIVIL ACTION NUMBER:

19-md-02875-RBK-JS

**TELEPHONIC STATUS
CONFERENCE WITH ORAL
ARGUMENT AND RULINGS**

Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101
January 5, 2021
Commencing at 3:30 p.m.

B E F O R E:

**THE HONORABLE JOEL SCHNEIDER,
UNITED STATES MAGISTRATE JUDGE**

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A L S O P R E S E N T:

HON. THOMAS I. VANASKIE (Ret.)
Special Master

1 FDA -- or how the responses to the 483 letters were handled,
2 what testing was done, and if Aurobindo is going to stand today
3 and say that these are their experts for litigation here, you
4 know, I think that's a different story and we would agree to
5 allow them to do a privilege review. But based on what we
6 know, which is just that they were hired for the mere purpose
7 of responding to the FDA, outside of anything that happens in
8 this courtroom, it doesn't sound like those objections are
9 valid.

10 THE COURT: Here's what the Court's going to do,
11 counsel: I would prefer not to rule on the issue until I read
12 Aurobindo's response. I'm very, very familiar with the law in
13 this area. I have written numerous opinions dealing with the
14 exact issue before the Court. One of the opinions the Court --
15 comes to the Court's mind is the *Riddell* concussion litigation
16 opinion. Ms. Heinz is correct that documents prepared by a
17 consultant could be privileged or work product. However, the
18 more important issue, as far as the Court's concerned, is what
19 is the primary purpose the documents were prepared.

20 With regard to work product, I think that's a
21 relatively easy issue. Was the primary purpose of the
22 preparation of the documents a business purpose responding to
23 the FDA or preparing for litigation?

24 With regard to the attorney-client issue, I'll just
25 have to look at the briefs and the supporting documents to